IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

MONDAY, THE 27TH NOVEMBER 2006 / 6TH AGRAHAYANA 1928

WP(C).No. 31374 of 2006(I)

PETITIONER:

JESSY PETER,
AGED 38 YEARS, W/O.MATHAI,
RESIDING AT MANAKKAKKUDY HOUSE,
WEST VENGOLA, PERUMBAVOOR, ERNAKULAM, (FORMER HIGH SCHOOL ASST., (PHYSICAL SCIENCE),
SALEM VOCATIONAL HIGHER SECONDARY SCHOOL).

BY ADV. SRI.V.A.MUHAMMED
SRI.K.E.HAMZA

RESPONDENTS:
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1. THE STATE OF KERALA,
REP. BY THE SECRETARY TO GOVERNMENT,
GENERAL EDUCATION DEPARTMENT,
SECRETARIAT, THIRUVANANTHAPURAM.

2. THE DISTRICT EDUCATIONAL OFFICER,
KOTHAMANGALAM.

3. THE MANAGER,
SALEM VOCATIONAL HIGHER SECONDARY SCHOOL,
W.VENGOLA-683 556, PERUMBAVOOR,
ERNAKULAM DISTRICT.

4. SRI.ABEY MATHEW,
CLERK, (NOW WORKING AS HIGH SCHOOL ASST. (PHYSICAL SCIENCE)),
SALEM VOCATIONAL HIGHER SECONDARY SCHOOL,
W.VENGOLA-683 556, PERUMBAVOOR, ERNAKULAM.

R1 & R2 BY GOVT. PLEADER (SHRI A. J. VARGHESE)

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 27/11/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K. M. JOSEPH, J.

W.P.C NO. 31374 OF 2006 I

Dated this the 27th November, 2006

JUDGMENT

Petitioner has preferred Ext.P13 Revision Petition against Ext.P12 order. According to petitioner, she is a Rule 51A claimant within the meaning of Note 1 Rule 1 of Chapter XIV A KER. She would rely on the decisions of this Court in Reghu v. State of Kerala (2000 (2) KLT 29) and Sreenivasan v. State of Kerala (2002 (3) KLT 544). She also relies on Ext.P7 Judgment. According to petitioner, she is entitled to be appointed in preference to fourth respondent, in view of the decisions of this Court referred to above. Ext.P13 is a Revision Petition filed before first respondent. I heard learned Government Pleader also. The Writ Petition is disposed of directing first respondent to consider and take a decision on Ext.P13 in accordance with law, after hearing petitioner and respondents 3 & 4, within a period of two months from the date of production of a copy of this Judgment. Any decision taken

by the lower authority in regard to appointment of fourth respondent can only be subject to the final orders passed on Ext.P13.

K. M. JOSEPH, JUDGE

kbk.